

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

TENTH STREET BUILDING	)	
CORPORATION,	)	
Plaintiff	)	
	)	
v.	)	CIVIL ACTION NO. 03-359E
	)	
BP PRODUCTS NORTH AMERICA	)	MAURICE B. COHILL, JR.
INC., f/k/a and successor to BP OIL	)	
COMPANY, f/k/a and successor to	)	
BORON OIL COMPANY, and DONALD	)	
TRAPP,	)	
Defendants	)	ELECTRONICALLY FILED

**STIPULATION OF DISMISSAL**

Plaintiff Tenth Street Building Corporation, by its attorneys, Knox McLaughlin Gornall & Sennett, defendant BP Products North America, Inc. f/k/a and successor to BP Oil Company f/k/a and successor to Boron Oil Company, by its attorneys, MacDonald, Illig, Jones & Britton LLP, and defendant Donald Trapp, by his attorneys, Quinn Buseck Leemhuis Toohey & Kroto Inc., file this Stipulation of Dismissal, pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure:

1. The Complaint and all cross-claims and/or counterclaims by and between the above-referenced parties shall be dismissed, with prejudice.
2. Each party shall bear its own attorneys' fees and costs.

Respectfully submitted,

s/Richard A. Lanzillo

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Tenth Street Building Corporation

s/Matthew W. McCullough

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Attorneys for Defendant  
BP Products North America, Inc. f/k/a and  
successor to BP Oil Company f/k/a and successor to  
Boron Oil Company

AND NOW, this 4<sup>th</sup>  
day of January, 2007,  
IT IS SO ORDERED.

Maurice R. Cottrell, Jr.  
UNITED STATES DISTRICT JUDGE

s/Paul F. Burroughs

Paul F. Burroughs, Esquire  
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Attorneys for Defendant  
Donald Trapp

Dated: January 3, 2007